

Independent
Monitoring Team

Chicago Police
Department
Consent Decree



INDEPENDENT MONITORING REPORT 4

Reporting Period January 1, 2021 through June 30, 2021

Report Date: October 8, 2021

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Introduction

This is the IMT's fourth semiannual Independent Monitoring Report.¹² The report provides the IMT's monitoring activities and findings for the fourth reporting period—from January 1, 2021, through June 30, 2021. In July 2020, the IMT outlined its efforts in its public Monitoring Plan for Year Two.¹³

Specifically, consistent with the requirements of the Consent Decree, we address the following information throughout the sections of this report:

- ❖ The IMT's efforts during the reporting period;
- ❖ A description of each Consent Decree requirement that applied during the reporting period;
- ❖ The IMT's compliance findings for each corresponding requirement;
- ❖ A summary of the City's principal achievements and the challenges facing the City's ability to achieve complete compliance with the Consent Decree;
- ❖ The IMT's corresponding recommendations regarding the City's future efforts to achieve compliance; and
- ❖ A projection of the IMT's, the OAG's, and the City's upcoming work during the next reporting period (July 1, 2021 through December 31, 2021).

This is the fourth monitoring report of many. Per ¶661 of the Consent Decree, the IMT will continue to issue semiannual reports until the Consent Decree ends—which is after the City has reached full and effective compliance for one to two years. See ¶¶693 and 714–15.

¹² We provided a draft of this report to the City and the OAG on January 30, 2021, as required by ¶¶661–65. After identifying versioning issues with the Training section, the IMT provided an updated draft of that section on February 5, 2021. Per ¶663, the OAG and the City then provided written responses on February 12, 2021, and February 15, 2021, respectively. The City provided a response to the updated Training section on February 19, 2021. On March 2, 2021, the IMT provided an updated draft to the Parties. The Parties provided feedback on March 18, 2021, and March 25, 2021, respectively. See [Attachment A](#) (OAG comments) and [Attachment B](#) (City comments).

¹³ The IMT's Monitoring Plan for Year Two is available on the IMT's website. See *Reports and Resources*, INDEPENDENT MONITORING TEAM (July 3, 2020), https://cpdmonitoringteam.com/wp-content/uploads/2020/07/2020_07_03-Monitoring-Plan-for-Year-Two-filed.pdf. The City filed its third semiannual status report (¶680) with the Court on February 7, 2021 (38 days after the deadline). See *Chicago Police Department Reform Progress Update* (February 7, 2021), <https://home.chicagopolice.org/wp-content/uploads/2021/02/CPD-Reform-Status-Report-compressed.pdf>.

Background: The Chicago Police Consent Decree

In December 2015, the U.S. Attorney General launched a broad civil rights investigation into the CPD's policing practices. The U.S. Department of Justice released the results of its investigation in January 2017, finding a longstanding, pervasive "pattern or practice" of civil rights abuses by the CPD.¹⁴ Two separate class-action lawsuits followed: *Campbell v. City of Chicago* and *Communities United v. City of Chicago*.¹⁵

In August 2017, the OAG sued the City in federal court, seeking a Consent Decree that would address the US Department of Justice's (DOJ's) findings and recommendations. The case was assigned to federal Judge Robert M. Dow, Jr. The OAG then sought input from community members and Chicago police officers and negotiated the Consent Decree with the City.

In March 2018, the Parties to the Consent Decree (the OAG and the City) entered into a Memorandum of Agreement with a "broad-based community coalition committed to monitoring, enforcing, and educating the community about the Consent Decree ('the Coalition')." The Coalition "includes the plaintiffs in the *Campbell* and *Communities United* lawsuits."¹⁶

The OAG and the City then sought proposals for an Independent Monitoring Team (IMT) after posting a draft Consent Decree on the Chicago Police Consent Decree website.¹⁷ Judge Dow approved and signed a modified version of the Consent Decree on January 31, 2019. The Consent Decree requires action by the CPD and many other City entities. On March 1, 2019, which was the effective date of the Consent Decree, and after a competitive selection process, Judge Dow appointed

¹⁴ DOJ Civil Rights Division and United States Attorney's Office Northern District of Illinois, *Investigation of Chicago Police Department* (January 13, 2017) at 4, available at <http://chicagopoliceconsentdecree.org/wp-content/uploads/2018/01/DOJ-INVESTIGATION-OF-CHICAGO-POLICE-DEPTREPORT.pdf>.

¹⁵ See *Campbell v. Chicago*, N.D. Ill. Case No. 17-cv-4467 (June 14, 2017), and *Communities United v. Chicago*, N.D. Ill. Case No. 17-cv-7151 (October 4, 2017).

¹⁶ See *Memorandum of Agreement Between the Office of the Illinois Attorney General and the City of Chicago and Campbell v. City of Chicago Plaintiffs and Communities United v. City of Chicago Plaintiffs* (March 20, 2018), available at http://chicagopoliceconsentdecree.org/wp-content/uploads/2019/05/Executed_MOA.pdf.

¹⁷ More information about the IMT selection process is available on this website, which the OAG maintains. See *Independent Monitor*, CHICAGO POLICE CONSENT DECREE, <http://chicagopoliceconsentdecree.org/independent-monitor/>. Other resources, including Consent Decree documents, court filings, and reports, are also available on this website. See *Resources*, CHICAGO POLICE CONSENT DECREE, <http://chicagopoliceconsentdecree.org/resources/>.

Maggie Hickey, a partner in the Schiff Hardin law firm, as the Independent Monitor. Ms. Hickey, as the Independent Monitor, reports directly to Judge Dow.¹⁸

The Independent Monitoring Team

As the IMT, we (1) monitor the City's, the CPD's, and other relevant City entities' progress in meeting the Consent Decree's requirements and (2) offer assistance to the City, the CPD, and other relevant City entities to implement the changes that the Consent Decree requires.

Monitor Maggie Hickey and Deputy Monitor Chief Rodney Monroe, Ret., lead the IMT. The IMT's nine Associate Monitors, in turn, oversee the 10 topic areas of the Consent Decree. Our legal team, analysts, subject matter experts, Community Engagement Team, and community survey staff provide support in several ways: by reaching out to and engaging with Chicago communities; by providing general administrative support; and by collecting and analyzing policies, procedures, laws, and data, including conducting observations and interviews and writing reports.

Our full organizational chart is in [Introduction Figure 1](#) on the next page, and our team structure is in [Introduction Figure 2](#) on the following page.

¹⁸ Judge Dow also appointed Judge David H. Coar, Ret., as a special master. As special master, Judge Coar is not a member of the IMT, but he "help[s] facilitate dialogue and assist the [OAG], the City, and other stakeholders in resolving issues that could delay progress toward implementation of the consent decree." About, CHICAGO POLICE CONSENT DECREE, <http://chicagopoliceconsentdecree.org/about/>. As the special master, Judge Coar also reports directly to Judge Dow.

Compliance Activities and Assessments

This section provides an overview of compliance efforts for the fourth reporting period. We begin by explaining our priorities for the fourth reporting period that we described in our Monitoring Plan for Year Two. We include an overview of the assessment process and the deadlines within the fourth reporting period. We then provide summaries for the period, including summaries of our activities and of the City's achievements and challenges. Finally, we summarize the relevant compliance efforts for each topic area of the Consent Decree; provide a more specific analysis for each Consent Decree paragraph with a deadline before June 2021; and summarize status updates for other paragraphs.

Assessing Compliance

Overall, in accordance with ¶¶661–62 and 642, the IMT assesses how the City, the CPD, and other City entities comply with each paragraph of the Consent Decree in three successive levels: **(1) Preliminary compliance**, **(2) Secondary compliance**, and **(3) Full compliance**. The CPD and other City entities will not be “in compliance” with a requirement until they reach Full compliance for the requisite length of time required by the Consent Decree—either one or two years (¶714). We will assess the City's compliance on all appropriate levels for the paragraphs presented in this report.

- ❖ **Preliminary compliance** refers principally to the development of acceptable policies and procedures that conform to best practices (as defined in ¶730) and to the incorporation of requirements into policy (¶642). The IMT will assess the development of policies, procedures, rules, and regulations reasonably designed to achieve compliance. To attain Preliminary compliance, the City must have policies and procedures designed to guide officers, City employees, supervisors, and managers performing the tasks outlined in the Consent Decree. These policies and procedures must include appropriate enforcement and accountability mechanisms, reflect the Consent Decree's requirements, comply with best practices for effective policing policy, and demonstrate the City and its relevant entities' ability to build effective training and compliance.
- ❖ **Secondary compliance** refers principally to the development and implementation of acceptable and professional training strategies (¶642). Those strategies must convey the changes in policies and procedures that were established when we determined Preliminary compliance. Secondary compliance also refers to creating effective supervisory, managerial, and executive practices designed to implement policies and procedures as written (¶730). The IMT will review and assess the City's documentation—including reports, disciplinary

records, remands to retraining, follow-up, and revisions to policies, as necessary—to ensure that the policies developed in the first stage of compliance are known to, are understood by, and are important to line, supervisory, and managerial levels of the City and the CPD. The IMT will be guided by the ADDIE model of curriculum development to assess training and will consider whether there are training, supervision, audit, and inspection procedures and protocols designed to achieve, maintain, and monitor the performances required by the Consent Decree.

- ❖ **Full compliance** refers to adherence to policies within day-to-day operations (¶642). Full compliance requires that personnel, including sergeants, lieutenants, captains, command staff, and relevant City personnel routinely hold each other accountable for compliance. In other words, the City must “own” and enforce its policies and training. The IMT will assess whether the City’s day-to-day operations follow directives, policies, and training requirements. When measuring Full compliance, we will note whether supervisors notice, correct, and supervise officer behavior and whether appropriate corrections occur in the routine course of business. In this phase, we will review whether compliance is reflected in routine business documents, demonstrating that reforms are being institutionalized. In addition, we will determine whether all levels of the chain of command ensure consistent and transparent compliance.

These levels of compliance guide the IMT in its review of all paragraphs in the Consent Decree. The three compliance levels often apply differently to various paragraphs. For some paragraphs, for example, Preliminary compliance may refer to efforts to establish the requisite training, rather than to creating a policy. Still, to reach and sustain Full compliance, the City may need to create a policy to ensure that it provides training consistently, as appropriate.

Throughout this report, we provide our compliance assessments and descriptions of the status of current compliance based on efforts within the fourth reporting period. Under the Consent Decree, the City, the CPD, and other relevant City entities are not in any level of compliance until we find that they comply. As a result, a finding that the City is not in compliance with a requirement does not mean that the City has not made efforts—even significant efforts—to achieve compliance toward that requirement.

Fourth Reporting Period Priorities

We set out our priorities for the fourth reporting period in our Monitoring Plan for Year Two.²⁰ Specifically, we prioritized (1) the paragraphs in the Consent Decree

²⁰ The IMT’s Monitoring Plan for Year Two is available on the IMT’s website. See *Reports and Resources*, INDEPENDENT MONITORING TEAM (July 3, 2019), https://cpdmonitoringteam.com/wp-content/uploads/2020/07/2020_07_03-Monitoring-Plan-for-Year-Two-filed.pdf. Given the

Accountability and Transparency: ¶532

532. *Within 180 days of the Effective Date, the City will draft selection criteria for Police Board members with the objective of identifying individuals who possess sufficient experience, judgment, and impartiality to perform the duties of members of the Police Board. Selection criteria may include prior work in law or law enforcement, and service with Chicago-based community and non-profit organizations. The draft selection criteria will be published on the Police Board's website for a period of 30 days for public review and comment. Following the 30-day public review and comment period, the City will provide the draft criteria to OAG for review and comment. The final selection criteria will be published and maintained on the Police Board's website. The City will ensure that the selection criteria are the basis for future selection of Police Board members.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary:	<i>In Compliance (SECOND REPORTING PERIOD)</i>
Secondary:	<i>Not in Compliance</i>
Full:	<i>Not Yet Assessed</i>

The City and the Police Board met Preliminary compliance with ¶532 in the second reporting period. They did not reach subsequent levels of compliance with ¶532 in the fourth reporting period.

In the second reporting period, we reviewed the *Police Board Member Selection Criteria* (dated September 18, 2019) and determined that the City and the Police Board met Preliminary compliance with ¶532 by the Consent Decree deadline.

And in the third reporting period, we determined that the City had not met Secondary compliance with this paragraph because we had not received additional evidence of compliance.

This reporting period, the City maintained Preliminary compliance with ¶532. However, we still have not received additional evidence of compliance. For additional levels of compliance, the City will need to demonstrate that it has created the process for properly applying the selection criteria should a vacancy on the Police Board occur.

Accountability and Transparency: ¶533

533. *Within 180 days of the Effective Date, the Police Board will submit selection criteria for Police Board hearing officers to the Monitor and OAG for review and comment. The criteria will be drafted to help identify individuals who possess sufficient competence, impartiality, and legal expertise to serve as hearing officers. The selection criteria will be published on the Police Board's website. The City and the Police Board will ensure that the selection criteria are the basis for future selection of Police Board hearing officers.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary: *In Compliance* (SECOND REPORTING PERIOD)
Secondary: *In Compliance* (NEW)
Full: *In Compliance* (NEW)

Previously, in the second reporting period, the City and the Police Board met Preliminary compliance with ¶533. In the fourth reporting period, they met Secondary and Full compliance with ¶533.

In the second reporting period, the City and the Police Board reached Preliminary compliance with ¶533 with the *Police Board Hearing Officer Selection Criteria*, dated December 10, 2019

To evaluate Secondary compliance with ¶533, we considered whether the *Police Board Hearing Officer Selection Criteria*—which enabled the City and Police Board to reach Preliminary compliance with ¶533—had been sufficiently disseminated and educated on so as to ensure that the *Police Board Hearing Officer Selection Criteria* would be appropriately followed. We then looked for evidence that the City and the Police Board follow the selection criteria set forth to assess Full compliance with ¶533.

In the third reporting period, the Police Board experienced a Police Board Hearing Officer vacancy. As a result, the Police Board conducted a search and hiring process for a new Police Board Hearing Officer following the *Police Board Hearing Officer Selection Criteria*. Throughout the hiring process, the Police Board provided monthly updates to the IMT and OAG, demonstrating their adherence to the selection criteria. For example, the selection process included interviews by the Hearing Officer Search Committee and interviews of the final three candidates (of 26 applicants) by the full Police Board.

In March 2021, Police Board submitted documents supporting its work in selecting two new Police Board Hearing. We reviewed the Report on the Selection Process

which detailed how and where the Hearing Officer Position Announcement and Advertisement was publicized, the process for submitting an application form, resume, and a writing sample. The Police Board also provided the written application questions and responses for the two appointed Hearing Officers, the interview questions for the first and second round of interviews and the interview questions for candidate references. We ascertained that the final candidates' references, resumes, and writing samples were vetted according to policy. Finally, the Police Board presented and unanimously voted to hire the final two candidates during the Police Board meeting on January 21, 2021.

The process of hiring the Police Board Hearing Officers showed that the Police Board followed its selection criteria as set out in previous reporting periods. This resulted in a thorough vetting and hiring process. With this, the City and Police Board demonstrated both Secondary and Full compliance.

In future reporting periods, we will continue to look for evidence that the Police Board and the City are following their *Police Board Hearing Officer Selection Criteria*, as needed. We request that the Police Board notify the IMT of any future Police Board vacancies that arise during the life of the Consent Decree.

Accountability and Transparency: ¶534

534. *In any disciplinary action requiring the vote of the Police Board, the City will ensure: a. a hearing officer will preside over the disciplinary proceedings; and b. disciplinary hearings will be videotaped in their entirety.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary: *In Compliance (NEW)*

Secondary: *In Compliance (NEW)*

Full: *In Compliance (NEW)*

We assessed the City's compliance with ¶534 for the first time in the fourth reporting period. In the fourth reporting period, the City achieved Preliminary, Secondary, and Full compliance with this paragraph.

To assess Preliminary compliance we reviewed the City's relevant policies and records following the process described in the Consent Decree (¶¶626-41), which outlines applicable consultation, resolution, workout, and public comment periods. To evaluate Secondary compliance, we reviewed, among other things, the City's training development, implementation, and evaluation. To assess Full compliance, the IMT determined whether the City and Police Board had sufficiently implemented their policies and training.

In May 2021, the Police Board produced to the IMT several documents including, (1) Section 2-8-030 of the Municipal Code of Chicago, which authorizes hearing officers to preside over Police Board disciplinary hearings and requires the hearing officers to conduct disciplinary hearings in accordance with the provisions of the Code and the Board's Rules of Procedure; (2) the Police Board's *Rules of Procedure*, which among other things, requires each disciplinary case to be assigned to a hearing officer and mandates that the hearing be video recorded in its entirety; and (3) links to video recordings disciplinary hearings for the three most recent cases decided by the Police Board.

We reviewed all of these documents. They show that the Police Board not only has policies in place instructing compliance with ¶534, but the Board is following those procedures, acting in accordance with ¶534's mandate. With this the Police Board has achieved Full compliance for this paragraph.

Accountability and Transparency: ¶535

535. *Prior to any vote by the Police Board following any disciplinary hearing, the City will ensure: a. all Police Board members are required to watch and certify that they have watched the videotape of the entire evidentiary hearing; b. all Police Board members are provided copies of the complete record, including demonstrative exhibits; c. hearing officers will prepare a written report that sets forth evidence presented at the hearing: (i) in support of the charges filed; (ii) in defense or mitigation; and (iii) in rebuttal, including evidence and aggravation, if any; the hearing officer's report will also include information relating to witness credibility; d. the Police Board may, at its discretion, ask a hearing officer to additionally prepare a written report and recommendation that sets forth findings of fact and conclusions of law, including any findings relating to witness credibility; e. the parties before the Police Board will have 14 days to review the hearing officer's report, and recommendation, and file any written objections; and f. all Police Board members will review de novo the hearing officer's report and any recommendation, and the parties' written objections to the same.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary:	<i>In Compliance</i> (NEW)
Secondary:	<i>In Compliance</i> (NEW)
Full:	<i>In Compliance</i> (NEW)

The fourth reporting period marked the first period in which we assessed compliance with ¶535. The City achieved all levels of compliance with this paragraph.

To assess Preliminary compliance we reviewed the City's relevant policies and records following the process described in the Consent Decree (¶¶626-41), which outlines applicable consultation, resolution, workout, and public comment periods. To evaluate Secondary compliance, we reviewed, among other things, the City's training development, implementation, and evaluation. To assess Full compliance, the IMT determined whether the City and Police Board had sufficiently implemented their policies and training.

In May 2021, we received the Police Board's *Rules of Procedures*, dated February 18, 2021. Sections III.G and III.H address ¶535's subsections (a) and (c)–(f). And, addressing the requirement of ¶353(b), the Police Board provided written transcript, which included exhibits, showing that Police Board members receive complete records for review before a Police Board vote. These documents demonstrate

not only that policies are in place but that the Police Board is following their policies. Therefore, the City reached Full compliance.

Accountability and Transparency: ¶536

536. As part of the Police Board proceedings, the parties to the Police Board case (the Superintendent and the involved CPD member) will be given access to the CPD member's complete disciplinary file and will have the opportunity to move for entry into the record of proceedings any relevant aspect of the CPD member's disciplinary file, as permitted by law and any applicable collective bargaining agreements.

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary: *In Compliance (NEW)*
Secondary: *In Compliance (NEW)*
Full: *In Compliance (NEW)*

We assessed the City's compliance with ¶536 for the first time in the fourth reporting period. We found that the City has achieved all levels of compliance.

To assess Preliminary compliance we reviewed the City's relevant policies and records following the process described in the Consent Decree (¶¶626-41), which outlines applicable consultation, resolution, workout, and public comment periods. To evaluate Secondary compliance, we reviewed, among other things, the City's training development, implementation, and evaluation. To assess full compliance, the IMT determined whether the City and Police Board had sufficiently implemented their policies and training.

We received a copy of the Police Board *Rules of Procedure* on May 6, 2021. Various sections of the Rules of Procedures address the requirements of ¶536. Specifically, Section III.D, Section J.10 and Appendix A (*Respondents Complete Disciplinary File*) work together to ensure that parties in a Police Board case are provided access to CPD member's disciplinary files and are able to move to enter into the proceeding records any relevant aspects of a CPD member's disciplinary file. With this, the Police Board reached Full compliance with ¶536.

Accountability and Transparency: ¶537

537. All regular meetings convened by the Police Board that are open to the public will be attended by the CPD Superintendent or his or her designee; the Chief Administrator of COPA or his or her designee; the Deputy PSIG or his or her designee; and the Chief of BIA or his or her designee.

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary: *In Compliance (NEW)*
Secondary: *In Compliance (NEW)*
Full: *In Compliance (NEW)*

In the fourth reporting period, the City achieved Full compliance with ¶537. The fourth reporting period is the first period during which the IMT assessed the City's compliance with ¶537.

During the fourth reporting period, the IMT attended virtually or by phone, the Police Board meetings. In each meeting, the Police Superintendent or designee, the COPA Chief Administrator or designee, the Deputy PSIG or designee and the BIA Chief of designee have attended the Police Board meetings. In very few meetings were the respective heads not in attendance. During this fourth reporting period, every meeting was in a virtual setting. Based on attendance at Policy Board Meetings, each entity is in Full compliance with the requirements of ¶537.

The IMT acknowledges the PSIG for its additional efforts at ensuring compliance. The Office of Inspector General Public Safety Section Policies Manual, dated April 19, 2021, includes a policy that ensures attendance of the PSIG at the Police Board meetings. The PSIG is the only entity that currently has a policy directing the attendance of the PSIG at the Police Board meetings. We recommend that CPD and COPA also put into policy the attendance of their designees at the Police Board meetings.

Accountability and Transparency: ¶538

538. *Within 90 days of the Effective Date, the City will create a policy for collecting, documenting, classifying, tracking, and responding to community input received during the Police Board's regular community meetings. The policy will outline the methods for: (a) directing community input to the appropriate responding entity, agency, or office; and (b) documenting and making public, all responses to community input.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary:	<i>In Compliance</i> (FIRST REPORTING PERIOD)
Secondary:	<i>In Compliance</i> (NEW)
Full:	<i>In Compliance</i> (NEW)

The City reached Preliminary compliance with ¶538 in the first reporting period. The City reached Secondary and Full compliance with the requirements of ¶538 during the fourth reporting period.

To assess Preliminary compliance we reviewed the City's relevant policies and records following the process described in the Consent Decree (¶¶626-41), which outlines applicable consultation, resolution, workout, and public comment periods. To evaluate Secondary compliance, we reviewed, among other things, the City's training development, implementation, and evaluation. To assess full compliance, the IMT determined whether the City and Police Board had sufficiently implemented their policies and training.

In previous reporting periods, the Police Board adopted a *Policy Regarding the Attendance of and Participation by the Public at Board Meetings* (Participation Policy) and Response Policy. Working together, these two policies provide an excellent framework to address the requirements of ¶538. The Participation Policy governs the requirements for speakers who require some immediate action on the part of CPD, COPA, or the Police Board and the Response Policy directs the expectations of response or action from the CPD, COPA, or the Police Board.

We virtually attended several of the Police Board meetings during the third and fourth reporting periods. The CPD, COPA, and Police Board representatives present at the meetings regularly assume responsibility for a concerns or issues raised. And the actions or responses resulting from these meetings are normally posted in accordance with the Response Policy. Additionally, we reviewed some of the Police Board's meeting minutes and documentation noting its response to community input received at various meetings. All of this information is posed on the Police Board's website as required by the Response Policy.

With the above efforts, the Police Board met the requirements of ¶538—satisfying Secondary and Full compliance. They not only developed clear and concise policies that provide clear direction as to who community input should be documented and addressed, but they have demonstrated that the policies are being acted upon in a proper and effective manner.

Accountability and Transparency: ¶539

539. *The Police Board will make best efforts to streamline discovery efforts in all pending proceedings.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary: *In Compliance (NEW)*
Secondary: *In Compliance (NEW)*
Full: *In Compliance (NEW)*

This is the first reporting period the IMT assessed this paragraph. In the fourth reporting period, the City achieved Preliminary, Secondary, and Full compliance with this paragraph.

To assess Preliminary compliance we reviewed the City's relevant policies and records following the process described in the Consent Decree (¶¶626-41), which outlines applicable consultation, resolution, workout, and public comment periods. To evaluate Secondary compliance, we reviewed, among other things, the City's training development, implementation, and evaluation. To assess full compliance, the IMT determined whether the City and Police Board had sufficiently implemented their policies and training using "best efforts" as defined by ¶729.

The Police Board produced to the IMT the *Police Board Rules of Procedure*, dated February 18, 2021, on May 6, 2021. Section II.A of the Police Board Rules of Procedures completely addresses this paragraph and includes additional information to further explain the process. The Police Board meets Full compliance for this paragraph.

Accountability and Transparency: ¶540

540. *Within 180 days of the Effective Date, Police Board members and hearing officers will receive initial and annual training that is adequate in quality, quantity, scope, and type and will cover, at minimum, the following topics: a. constitutional and other relevant law on police-community encounters, including law on the use of force and stops, searches, and arrests; b. police tactics; c. investigations of police conduct; d. impartial policing; e. policing individuals in crisis; f. CPD policies, procedures, and disciplinary rules; g. procedural justice; and h. community outreach.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Deadline:	October 30, 2021*	<input checked="" type="checkbox"/> Not Yet Applicable
	*Extended from August 28, 2021, due to COVID-19	
Preliminary:	<i>Under Assessment</i>	
Secondary:	<i>Not Yet Assessed</i>	
Full:	<i>Not Yet Assessed</i>	

The City and the Police Board remain under assessment for Preliminary compliance with ¶540.

To evaluate Preliminary compliance with ¶540, the IMT reviewed the City's, the CPD's, and COPA's policies following the policy process described in the Consent Decree (¶¶626–41),²⁷² which details applicable consultation, resolution, workout, and public comment periods. Paragraph 626, for example, requires policies to be “plainly written, logically organized, and use clearly defined terms.”

While the City did not provide the IMT with sufficient evidence of Preliminary compliance during previous reporting periods, the IMT noted that discussions with the Police Board demonstrated that the Police Board was actively working toward compliance with ¶540.

In the fourth reporting period, the Police Board continued to work with a local law firm that has agreed to provide training development at no cost to the Police Board. As stated in previous reports, the IMT supports the Police Board and its decision to seek assistance in developing appropriate and relevant training for the Police Board and the Police Board Hearing Officers since it has no staff to develop or deliver training. As stated in our last report, only two blocks of instruction—Training in Police Boards in other Major U.S. Cities and Training on the CPD Consent

²⁷² See also *Stipulation Regarding the Policy and Training Review Process for COPA, Illinois v. Chicago*, Case No. 1:17-cv-06260 (January 30, 2020).

Decree—have been developed and have been delivered virtually to the Police Board members. We reviewed both blocks of instruction and found them to be complete and thorough. While neither of these blocks of instruction apply directly to ¶540, the consultant and the Police Board felt it was necessary to provide this information initially to determine if the training blocks of instruction are effective and to provide a baseline of information to develop the lesson plans for the requirements of ¶540.

Late in the fourth reporting period, the Police Board produced a “training agenda” that details what the Police Board hopes to accomplish during the next reporting period as it relates to training. We did not have sufficient time before the close of the period to provide a detailed review of this document. It does, however, appear that the Police Board has the framework of a training plan for Police Board members and Hearing Officers. The IMT looks forward to discussing this training agenda with the Police Board in the next reporting period.

While, the Police Board did not meet Preliminary compliance for this reporting period, the IMT has high expectations that quality blocks of instruction will be developed and delivered during the fifth reporting period and recognizes that the Police Board is relying on pro bono outside assistance to develop lesson plans. The Police Board should also be recognized for its innovative way to develop and deliver training at no cost to the City or the Police Board. The IMT expects some level of training will be developed and delivered to the Police Board during the next reporting period.

Accountability and Transparency: ¶541

541. The trainings [referenced in ¶540] will be provided by sources both inside and outside of CPD, as needed, to provide high quality training on investigative techniques, and CPD policies, procedures, and disciplinary rules.

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary: *Under Assessment*
Secondary: *Not Yet Assessed*
Full: *Not Yet Assessed*

We assessed compliance with ¶541 for the first time in the fourth reporting period. The City did not reach Preliminary compliance with ¶541 in the fourth reporting period and remains under assessment.

To evaluate Preliminary compliance with ¶541, the IMT reviewed the City's, the CPD's, and COPA's policies following the policy process described in the Consent Decree (¶¶626–41),²⁷³ which details applicable consultation, resolution, workout, and public comment periods. Paragraph 626, for example, requires policies to be “plainly written, logically organized, and use clearly defined terms.”

In the third reporting period, the IMT noted the partnership with a law firm to develop and provide training required by this paragraph to the Police Board. Police Board members participated in two training sessions in third reporting period: Training on Police Boards in Other Major U.S. Cities and Training on the CPD Consent Decree.

In the fourth reporting period, the Police Board continued to work with a local law firm that has agreed to provide training development at no cost to the Police Board. As stated in our last report, only two blocks of instruction—Training in Police Boards in other Major U.S. Cities and Training on the CPD Consent Decree—have been developed and delivered virtually to the Police Board members. We reviewed both blocks of instruction and found them to be complete and thorough. While neither of these blocks of instruction apply directly to ¶541, the consultant and the Police Board felt it was necessary to provide this information initially to determine if the training blocks of instruction are effective and to provide a base-line of information to develop the lesson plans for the requirements of ¶541.

Days before the end of the fourth reporting period, the Police Board produced a “training agenda” that details what the Police Board hopes to accomplish during the fourth reporting period. We have not had the opportunity to provide a detailed

²⁷³ See also *Stipulation Regarding the Policy and Training Review Process for COPA, Illinois v. Chicago*, Case No. 1:17-cv-06260 (January 30, 2020).

review of this document before the end of fourth reporting period, however it appears that the Police Board has the framework of a training plan for Police Board members and Hearing Officers. We look forward to discussing this training agenda with the Police Board in the fifth reporting period.

While, the Police Board is still under assessment for this reporting period, the IMT has high expectations that quality blocks of instruction will be developed and delivered during the next reporting period and recognizes that the Police Board is relying on pro bono outside assistance to develop lesson plans. The Police Board should also be recognized for its innovative way to develop and deliver training at no cost to the City or the Police Board. The consultant should be recognized for its willingness to become a partner to the City and the Police Board; it is hoped that other companies will consider this community contribution. The IMT expects some level of training will be developed and delivered to the Police Board during the fourth reporting period.

Accountability and Transparency: ¶542

542. *Within 90 days of the Effective Date, the City will create a training policy for Police Board members and hearing officers.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Preliminary:	<i>Under Assessment</i>
Secondary:	<i>Not Yet Assessed</i>
Full:	<i>Not Yet Assessed</i>

The City has not met any level of compliance with ¶542 in previous reporting period. And the City's compliance with ¶542 remained under assessment at the end of the fourth reporting period.

To evaluate Preliminary compliance with ¶542, the IMT has reviewed the City's, the CPD's, and COPA's policies following the policy process described in the Consent Decree (¶¶626–41),²⁷⁴ which details applicable consultation, resolution, workout, and public comment periods.

In the third reporting period, the Police Board provided the IMT with a letter from its Executive Director explaining that the Police Board was actively working toward developing the training materials as required by ¶542.

In the fourth reporting period, the Police Board continued to work with a local law firm that agreed to provide training development at no cost to the Police Board. As stated in previous reports, the IMT supports the Police Board and its decision to seek assistance in developing appropriate and relevant training for the Police Board and the Police Board Hearing Officers since it has no staff to develop or deliver training. As we noted in the third reporting period, only two blocks of instruction—Training in Police Boards in other Major U.S. Cities and Training on the CPD Consent Decree—have been developed and delivered virtually to the Police Board members. We reviewed both blocks of instruction and found them to be complete and thorough. While neither of these blocks of instruction apply directly to ¶542, the consultant and the Police Board felt it was necessary to provide this information initially to determine if the training blocks of instruction are effective and to provide a baseline of information to develop the lesson plans for the requirements of ¶542.

²⁷⁴ The OAG, the City, and the IMT have agreed to a stipulation that provides a different review process for review of COPA policies and training materials. See Stipulation Regarding the Policy and Training Review Process for COPA, *Illinois v. Chicago*, Case No. 1:17-cv-06260 (Jan. 30, 2020). The review process in the Stipulation mirrors the review process under ¶¶626–41, but among other things, gives the OAG and the IMT a shorter timeframe for review of COPA policies and training materials.

At the end of the fourth reporting period, the Police Board produced a “training agenda” that details what training the Police Board hopes to accomplish in the fifth reporting period. The IMT was not able to complete a detailed review of this document before the close of the fourth reporting period. However, it appears to provide a framework plan for training Police Board members. The IMT looks forward to discussing this training agenda with the Police Board in the fifth reporting period.

Moving forward, we have high expectations that the Police Board will develop and deliver quality blocks of instruction during the fourth reporting period. The Police Board should also be recognized for its innovative way to develop and deliver training at no cost to the City or the Police Board. The consultant should be recognized for its willingness to become a partner to the City and the Police Board; it is hoped that other companies will consider this community contribution.

Accountability and Transparency: ¶555

555. *On an annual basis, the Police Board will track and publish case-specific and aggregate data about Police Board decisions. Such publications will contain and include, at minimum, the following: a. the date on which the investigating agency (COPA, BIA, district, or OIG) received the complaint or notification for investigation; b. the date of the Police Board hearing over which the hearing officer presided; c. the disciplinary recommendations and/or decisions (where applicable) made by COPA, BIA, the Superintendent, and the Police Board; d. the average time between the filing of disciplinary charges with the Police Board and the first day of hearing; e. the average time between the filing of disciplinary charges with the Police Board and the Police Board's decision; f. the average time between the date on which the investigating agency (COPA, BIA, district, or OIG) received the complaint for investigation and the Police Board's decision; g. the date of the alleged misconduct; h. the average time between the date of the alleged misconduct giving rise to the complaint or notification and the Police Board's decision; and i. whether any Police Board decision has been appealed to any state court and, if so, the court's final judgment.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Deadline:	December 31, 2021	<input checked="" type="checkbox"/> Not Yet Applicable
Preliminary:	<i>In Compliance (THIRD REPORTING PERIOD)</i>	
Secondary:	<i>Not Yet Assessed</i>	
Full:	<i>Not Yet Assessed</i>	

The City reached Preliminary compliance with ¶555 in the third reporting period. The City maintained Preliminary compliance with this paragraph in the fourth reporting period.

To evaluate Preliminary compliance with ¶555, the IMT has reviewed the City's, the CPD's, and COPA's policies following the policy process described in the Consent Decree (¶¶626–41),²⁷⁹ which details applicable consultation, resolution, workout, and public comment periods.

²⁷⁹ The OAG, the City, and the IMT have agreed to a stipulation that provides a different review process for review of COPA policies and training materials. See Stipulation Regarding the Policy and Training Review Process for COPA, *Illinois v. Chicago*, Case No. 1:17-cv-06260 (Jan. 30, 2020). The review process in the Stipulation mirrors the review process under ¶¶626–41, but

In previous reporting periods, we reviewed the Police Board's website and the 2017, 2018, and 2019 *Police Board Annual Reports*. We found the website and reports to be well organized and easy to understand. With these, we determined that the Police Board met Preliminary compliance with ¶555 in the third reporting period.

By the close of the fourth reporting period, the Police Board had not yet provided us its *2021 Annual Report*—although the Police Board still has time to do so. The 2020 Annual Report was produced in March of 2020. However, during the fourth reporting period, the Police Board provided an Excel Spreadsheet detailing Police Board Cases spanning from March 2010 to January 2021.

The comprehensive spreadsheet includes information regarding the Police Board Case number, the date filed with the Police Board, the respondent name, rank and star number, the CR/Log #, date of incident, primary charges, superintendent recommendation and all information regarding the police board hearing.

And the Police Board Quarterly Report, dated March 31, 2021, provides information consistent with the quarterly report reviewed in the third reporting period. We suggests that the Police Board include previous quarterly reports on its website to provide readers with historical context.

With these efforts, the Police Board maintained Preliminary compliance.

We look forward to receiving and reviewing the *2021 Police Board Annual Report*. We will look for evidence that the Police Board has allocated sufficient resources to develop and publish relevant data on an annual basis. We will also consider whether annual publications capture case-specific and aggregate data regarding Police Board decisions.

among other things, gives the OAG and the IMT a shorter timeframe for review of COPA policies and training materials.

Accountability and Transparency: ¶565

565. *At least quarterly, COPA, the Deputy PSIG, and the President of the Police Board, or his or her designee, will meet to confer and share information regarding trends and analyses of data relating to CPD. They will jointly or separately provide any resulting recommendations for changes in CPD policy or rules, in writing, to the Superintendent. Thereafter: a. the Superintendent will respond to any such recommendation within 60 days of receipt; b. the Superintendent's response will include a description of the actions that the Superintendent has taken or plans to take with respect to the issues raised in the recommendations; and c. all policy recommendations and responses to the same will be published on a City website.*

Compliance Progress

(Reporting Period: Jan. 1, 2021, through June 30, 2021)

Deadline: Quarterly ☒ **Met** ☐ **Missed**

Preliminary: *In Compliance* (FIRST REPORTING PERIOD)
Secondary: *In Compliance* (SECOND REPORTING PERIOD)
Full: *In Compliance* (NEW)

The City and its entities achieved Full compliance with the requirements of ¶565 during the fourth reporting period.

In previous reporting periods, the IMT reviewed minutes of quarterly meetings between the Police Board President, COPA, and the Deputy PSIG to determine that the City had met Preliminary and Secondary compliance with ¶565.

On a quarterly basis, during the third and fourth reporting periods, the COPA Chief, Deputy Inspector General for Public Safety, and the Police Board President and Vice President meet to discuss trends and share information regarding data analysis related to the CPD. During the fourth reporting period, the IMT discussed these meetings with the members separately regarding the effectiveness of these meetings. Each person indicated that the meetings began as an obligation to the Consent Decree but have evolved over time to become a meaningful opportunity to discuss the very issues this paragraph intended. Each indicated that they did not expect to make recommendations to CPD as a group, rather doing so as individual organizations. All three entity leaders indicated that if the need arose, they believed they would come together to make recommendations to the CPD. The meetings have also helped to build relationships among the three organizations. The Police Board Executive Director develops the meeting agendas and maintains meeting minutes. The group is developing a common understanding of the policy-

recommendation process; and how to maintain documentation on any policy recommendations they may make to CPD.

The City has reached Full compliance with the requirements of ¶565.